

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

THE MUNICIPALITY OF SAN JUAN,
PUERTO RICO,

Plaintiff,

v.

EXXON MOBIL CORP., et al.,

Defendants.

Civ. No. 23-1608 (ADC)

ORDER

After a review of the pleadings and filings to date in the case of caption, the Court understands that this action involves the same factual and legal questions as those in *Municipality of Bayamon, et al., v. Exxon Mobil Corp., et al.*, Civ. Case No. 22-1550 (SCC-HRV). Plaintiff, the Municipality of San Juan, listed said case as “related” in its Civil Cover Sheet when it filed the instant complaint. *See ECF No. 1-1*. Moreover, Case No. 22-1550 is a putative class action suit brought by thirty-seven (37) other Puerto Rico municipalities against the same defendants in this case¹ and includes the Municipality of San Juan as among its proposed class of plaintiffs. *See* Case No. 22-1550, ECF No. 205 at 4 n. 1. Some of the defendants here have referred to this action as a “copycat” of the related case. *See, e.g., ECF No. 28* at 1 n. 2 (“Plaintiff’s

¹ Save for the American Petroleum Institute, which was added as a defendant in Case No. 22-1550 upon the filing of an amended complaint, the defendants in that case are otherwise the same as those in this case.

Complaint is almost identical to one that other Puerto Rico municipalities filed over a year ago.”); ECF No. 34 at 18 (“This is a copycat lawsuit.... Plaintiff’s Complaint is largely a word-for-word copy of the Bayamón Complaint.”) ECF No. 36 at 16 (“This is a copycat suit based on a putative class action complaint from another case in this District.... Plaintiff’s complaint is largely a word-for-word copy of the allegations in the *initial* putative class action complaint.”) And both parties have repeatedly shown interest in having scheduling uniformity between the ongoing procedures in Case No. 22-1550 and those before this Court. *See, e.g.*, ECF Nos. 5, 10, 18, 41, 42, 44.

Therefore, in the interest of judicial and procedural efficiency, and provided Hon. Judge Sylvia Carreño-Coll’s consent, the Court is of the opinion that consolidation of the two cases is proper. Fed. R. Civ. P. 42(a). Nonetheless, the Court wishes to hear the parties’ positions on this course of action. Accordingly, the parties are hereby **GRANTED** until **June 7, 2024**, to express their respective positions on whether consolidation should proceed.

SO ORDERED.

At San Juan, Puerto Rico, on this 29th day of May 2024.

S/AIDA M. DELGADO-COLÓN
United States District Judge